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| 09/315,822 | 05/21/1999 | SCOTT N. CHRISTENSEN | 031792-0311520 | 6988 |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
| --- | --- | --- |
| **Office Action Summary** | 09/315,822 | CHRISTENSEN, SCOTT N. |
| | Examiner | Art Unit | |
| | JEAN JANVIER | 3688 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☐ Responsive to communication(s) filed on _____.
2a)☐ This action is **FINAL**.      2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *2-10,12-15 and 27* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *2-10, 12-15 and 27* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

## After The Board Decision

The present Action is a response to the Applicant's claim amendment filed after the

Board Decision.

Further, the Applicant's arguments are moot in view of new grounds of rejection.

## Detailed Action

## Specification

## Claim Status

Claims 2-10, 12-15 and 27 are currently pending in the Instant Application.

## *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**Claims 2-3, 4-10, 13-15 and 27 are rejected under 35 U.S.C. 103(a) as being**

**unpatentable over Barnett et al. (hereinafter Barnett), US Patent 6, 321, 208B1.**

As per claims **4, 13-14 and 27**, Barnett discloses a system for distributing in an interactive

manner over a computer network or the Internet by an online service provider 2 of fig. 1

electronic coupons (Virtual coupons) received from coupon issuer 14 or coupon distributor 16 to

registered users using remote computers 6 of fig. 1 wherein a central repository or database 40 of

fig. 6 associated with online service provider 2 stores electronic coupon packages and a database

file 42 stores users' demographic data or profile data (name, address, income, etc.,), provided by

the users during an online registration process with the online service provider 2, and survey

responses given by the users. First, a user initially visits the online service provider 2 web site

and downloads or accesses generic or untargeted electronic coupons or coupon data stored in

database 40 and the demographic data collected from the user during the initial visit (registration

process) are used to target specific coupon data packages for subsequently downloading by the

user. It is further understood that those specific coupon data packages generated for the user or

specific user are stored in the database 40 of the online service provider 2 along with uniquely

created user-specific identification indicia uniquely identifying the user or customer using or

participating in the online coupon distribution system (col. 7: 55 to col. 8: 5; Claim 1 of the

current reference). Once the user joins the online coupon distribution system subsequent to the

registration process during the initial visit, the user can connect or access or log into, by inputting

via a keyboard his identification number or user-specific ID and/or login name, the online

service provider 2 system having an associated web site where the said user can download

(request) from database 40 of the online service provider 2 targeted coupon data, specifically

directed to his attention, to his personal computer 6 where the coupon data can be stored in a

local database 30 of fig. 2 or used by the user to print one or more coupons 70 as shown in fig. 5

using a printer 8 attached to the user's computer 6 (col. 8: 22-37; col. 8: 46-47; col. 6: 50 to col.

7: 11; col. 9: 33-52). The one or more printed coupons are presented for redemption in the

normal or conventional fashion by the specific user or customer when shopping at a desired

retailer. Following the redemption process, **subsequent to validating the presented coupons and applying the coupon values to the customers' transactions when the required products are purchased,** the redeemed coupon data are transmitted by the desired retailer to a coupon redemption center 13 where they are electronically read and the user-specific data are recorded in a coupon redemption database (D/B) 12. Additionally, the user's transaction data including the redeemed coupon data (redemption data) are provided to the coupon issuers (manufacturers) 14 and coupon distributors 16 of fig. 1 for integration into further marketing analysis (the retail location or the store 10 has means for gathering coupon data, electronically received from the online service provider 2 on behalf of specific customers, and means for forwarding redeemed coupon data to manufacturers or issuers 14 used to update their database and generate new targeted coupon packages for particular or identified  customers associated with the redeemed coupon data); In other words, the coupon issuers 14 and coupon distributors 16 of fig. 1 utilize the user-specific data (coupons deleted, coupon printed and demographic data) along with the redemption data to update their database and generate or compile subsequent coupon packages targeted specifically or directed to the user's attention (using redemption data to update the user's virtual coupons or electronic coupons) (See abstract; col. 6: 58-65; col. 7: 12-20; col. 7: 45-55;**col. 11: 39-43**).

     **Further, Barnett discloses, with respect to claim 4, an online coupon distribution system wherein the user is allowed to print a particular coupon only once, good for a one-time redemption, thus eliminating the possibility of fraud by both the consumer and the retailer (col. 4:29-33), while providing for security and guarding against fraudulent redemption since any subsequent attempt to redeem the same printed coupon or a**

**duplicate by a user will exceed the number of times the printed coupon can be redeemed (tracking or counting system) (col. 3: 44-52; col. 11: 11-23; col. 11: 44-50).**

As per claim 2, Barnett discloses an online coupon distribution system, wherein once a user joins the online coupon distribution system subsequent to the registration process, the user can connect or access or log into, by inputting via a **keyboard** his identification number or user-specific ID and/or login name, the online service provider 2 system having a web site where the said user can download (request) from **database 40** targeted coupon data, specifically directed to the user's attention, to his computer where the coupon data can be stored in a local database 30 of fig. 2 or used by the user to print one or more coupons 70 as shown in fig. 5 using a printer 8 attached to the user's computer 6 (col. 8: 22-37; col. 8: 46-47; col. 6: 50 to col. 7: 11).

As per claims 2 and 4, Barnett does not expressly disclose a system for enabling a customer to enter a customer identification, via a keyboard coupled to a retail location system or kiosk, to access and retrieve from a remote database coupon data to print a targeted coupon while at the retail location **and means for indicating or counting the number of times a coupon has been redeemed by a consumer.**

However and in general, Barnett explicitly discloses, in the background section, that US Patent 5, 176, 224 to Spector teaches a closed-loop coupon system, which consists of a kiosk type or coupon dispenser-printer system located at a retail store (in-store redemption system). The kiosk or coupon dispenser-printer system is linked to the manufacturer's system in order to

obtain specific coupon information. A consumer selects the desired coupon at the kiosk and the

coupon is printed and dispensed. Subsequently, the consumer presents the printed coupon at the

cash register where a discount is applied and the discount transaction data are transmitted back to

the manufacturer for further marketing analysis. Furthermore, Barnet discloses that US Patent 4,

674, 041 to Lemon teaches a system with remotely located coupon printing stations capable of

limiting the number of coupons printed in a given time period. Each coupon station has a display

for indicating the available coupons, selection means to allow the consumer to choose the desired

coupon and a coupon printer for printing the selected coupon. The system disables display of a

particular coupon when a pre-selected coupon limit has been reached. Barnett also admits that

the prior art fails to provide a secure, interactive and targeted coupon generation system in which

the user can request, store, manipulate and print coupons as desired based on the user or

consumer specific profile information, such as demographic data, data representative of coupons

requested, selected, printed and redeemed, and wherein the specific profile information and

transaction data related to the redeemed coupons are forwarded back to the coupon issuer 14 and

coupon distributor 16 for further processing and marketing analysis to thereby efficiently

targeting subsequent coupon delivery to the user or consumer. In short, Barnett does disclose the

use of kiosk or coupon dispenser (in-store redemption system) located at a local retail store. See

col. 3: 36-62.

Furthermore, it is herein expected, in either the Spector's system or the Lemon's system

that an input means such as a keyboard and/or a touch screen is used by the customer to access

the system and select coupons to be printed. In other words, it is common practice for a user to

use a keyboard coupled to a terminal (kiosk), located in a store, to access a remote database to

retrieve therefrom coupons available to the customer, wherein the retrieved or selected coupons

are encoded on a customer's device, such as a card, or printed by a printer coupled to the

terminal.

**Finally, it is common practice in the art for companies or groups who wish to have a**

**coupon delivered to consumers to disclose the specifics of the coupon, such as the target**

**audience preference profile, the value of the coupon, how many times the coupon may be**

**redeemed, when the coupon should be delivered, how long the coupon is valid for. For**

**instance, a system is provided to distribute coupons to specific users and to track or**

**monitor the redemption of the distributed coupons such that each distributed coupon is**

**redeemed a predetermined number of times (i.e. indicating or counting how many times**

**each coupon has been redeemed by the users or consumers-See the abstract and col. 6: 34-**

**48 of 6,075,971 to Williams) ("Official Notice").**


Therefore, an ordinary skilled artisan, implementing the Barnett's system, would have

been motivated at the time of the invention to incorporate the above disclosure into the system of

Barnett so as to use an interactive kiosk (in-store redemption system), as taught by Barnett,

located within a retail store 10 as an alternate delivery or distribution means to allow a user

visiting the retail store 10 (retail location) to input his login name and password or any other

identification information via a keyboard coupled to the kiosk, linked to the online service

provider 2 server database 40, via a communication means, to retrieve targeted coupon data

stored therein, to request, view, select and retrieve in an interactive manner targeted coupon data

stored in the consumer's or user's file in database 40 and related to at least one discount coupon

based on the consumer's aggregate profile information, wherein the retrieved coupon data are

used to obtain a secure hard copy or to print one coupon 70 using a printing device connected to

the interactive kiosk, having the necessary computer hardware and software, wherein the printed

coupon 70, **having imprinted thereon at least a bar code 90 indicative of the consumer**

**identification used for preventing fraud by limiting the number of times the coupon can be**

**printed and redeemed by the identified user,** product UPC 82 and bar code 84 representative

of the discounted product and so on (fig. 5; col. 12: 14-25), is taken by the consumer to the local

store 10 checkout for redemption upon purchasing the required product wherein, at the end of the

transaction, the consumer's transaction data including the redeemed coupon data are not only

being forwarded to the coupon issuer 14 and coupon distributor 16 for integration into marketing

analysis to further prepare more targeted coupon data stored in remote database 40 and made

available via the consumer's PC 6 and the retail store kiosk to the particular consumer, but also

are being used by a redemption center to prevent any subsequent redemption attempt by counting

how many times the printed coupon has been redeemed for a coupon 70 can be printed and

redeemed only once and any photocopy or subsequent printing of the same coupon 70 will not

contain the bar code 90 representing the user's unique identification code, thereby rendering the

coupon delivery or distribution system more secure, flexible and readily accessible to a consumer

by installing an interactive kiosk, coupled via a communication means to the online service

provider 2 database 40 storing the consumer's targeted coupon data, at a local store 10 where the

consumer can retrieve through the kiosk in an interactive and secure manner from database 40

targeted coupon data to print one coupon 70, subsequent to entering his identification or login

name and password via a keyboard or any other input means related to the store kiosk, when the

consumer is in the store 10 and just before the consumer engages in a transaction, while giving

the manufacturer or coupon issuer 14 or coupon distributor 16 via the online service provider 2

the latitude or flexibility to increase or decrease or modify the targeted coupon data or more

specifically the coupon value 74 associated with a particular product or UPC code 82 if the latest

transaction data including redeemed coupon data for the day received from a plurality of retail

stores 10 show that the number of coupons allowed to be printed and redeemed exceeds a preset

number or the manufacturer's goal has been achieved such that the manufacturer can decrease

the coupon value 74 associated with product UPC code 82 regardless of the previously assigned

value (See col. 3: 36-62 of the Barnett's reference) and while **eliminating the possibility of**

**fraud by both the consumer and the retailer (col. 4:29-33) by allowing the user to print and**

**redeem a particular coupon only once and** any photocopy or subsequent printing of the same

coupon 70 will not contain the bar code 90 representing the user's unique identification code.


As per claims 7-8, Barnett does not explicitly disclose providing to the user or consumer

a computer diskette, containing data from the computer network, used by the user as a data entry

means **to access the in-store redemption system (kiosk).**


However, and in general, Barnett explicitly discloses, in the background section, that US

Patent 5, 176, 224 to Spector teaches a closed-loop coupon system, which consists of a kiosk

type or coupon dispenser-printer system located at a retail store (in-store redemption system).

The kiosk or coupon dispenser-printer system is linked to the manufacturer's system in order to

obtain specific coupon information. A consumer selects the desired coupon at the kiosk and the

coupon is printed and dispensed. Subsequently, the consumer presents the printed coupon at the

cash register where a discount is applied and the discount transaction data are transmitted back to

the manufacturer for further marketing analysis. Furthermore, Barnet discloses that US Patent 4,

674, 041 to Lemon teaches a system with remotely located coupon printing stations capable of

limiting the number of coupons printed in a given time period. Each coupon station has a display

for indicating the available coupons, selection means to allow the consumer to choose the desired

coupon and a coupon printer for printing the selected coupon. The system disables display of a

particular coupon when a pre-selected coupon limit has been reached. Finally, Barnett admits

that the prior art fails to provide a secure, interactive and targeted coupon generation system in

which the user can request, store, manipulate and print coupons as desired based on the user or

consumer specific profile information, such as demographic data, data representative of coupons

requested, selected, printed and redeemed, and wherein the specific profile information and

transaction data related to the redeemed coupons are forwarded back to the coupon issuer 14 and

coupon distributor 16 for further processing and marketing analysis to thereby efficiently

targeting subsequent coupon delivery to the user or consumer. In short, Barnett does disclose the

use of kiosk or coupon dispenser (in-store redemption system) located at a local retail store. See

col. 3: 36-62.

Furthermore, providing a Software or a tool encoded on a computer readable medium to a

user or customer which, when installed on the user's computer, allows the user to access an

online distribution system or a computer network, such a LAN, WAN or the Internet, is a well-

established business method practiced in the industry for many years. In fact, Internet Service

Providers or ISPs, such as AOL (America Online), have been distributing free software encoded

on 1.44 floppy diskettes to selected users. The diskette mailed by AOL, for example, bears a

temporary login name and password or identification. Upon installing the software, encoded on

the diskette, on his computer, a user will be prompted to enter the temporary login name and

password or identification, which allow the user to connect via a telephone line to a remote

server associated with the ISP or AOL, wherein, upon validating the user's temporary

information imprinted on the diskette, the user can complete the installation or registration

process by providing his demographic data including a credit card number for future billing and

establishing a login name or screen name and a password or identification. Subsequent to the

installation or registration process, the user, now registered, can browse the ISP site or visit other

sites or web sites available on the Internet. Finally, the registered user can, at any time, use his

established login name and password to connect to the Internet, via the ISP, or to read or send e-

mails or browse for local content available at the ISP site. ("Official Notice")

Finally, it is common practice in the industry to provide a data entry means such a user's

or shopper's card to a user, containing the user's identification and other relevant data, used by

the user to access, for example, a store kiosk where the user can view, at least, coupon

information stored under his account in a remote database ("Official Notice").


Therefore, an ordinary skilled artisan, implementing the Barnett's system, would have

been motivated at the time of the invention to combine the above public disclosure with the

Barnett's system so as to use an interactive kiosk (in-store redemption system), having an input

means such as a keyboard or a 1.44 floppy disk drive used to load data therein, located within a

retail store 10 as an alternate delivery or distribution means and to allow a user visiting the retail

store 10 to identify himself by inserting or inputting a 1.44 diskette, having encoded thereon his

login name and password and other pertinent information downloaded from the network, into the

1.44 floppy disk drive coupled to the kiosk, linked to the online service provider 2 server

database 40 via a communication means to retrieve targeted coupon data stored in the database

40, so that he can request, view, select and retrieve in an interactive manner targeted coupon data

stored in the consumer's or user's file in remote database 40 and related to at least one discount

coupon based on the consumer's aggregate profile information, wherein the retrieved coupon

data are used to obtain a secure hard copy or to print the at least one coupon 70 using a printing

device connected to the interactive kiosk, having the necessary computer hardware and software,

and wherein the printed coupon 70, having imprinted thereon a bar code 90 indicative of the

consumer identification, bar code or product UPC 82 and bar code 84 representative of the

discounted product, redemption address 86 indicative of the local store 10, redemption

instruction 88, offer description 76, expiration date 78, logo 80 and coupon value 80 (fig. 5; col.

12: 14-25), is taken by the consumer to the local store 10 checkout where the coupon 70 is

redeemed, by reducing the consumer's transaction by an amount equal to the coupon value 74,

when a product in the consumer's order matches the product UPC code 82 following a validation

process via a remote coupon clearing center 13 and wherein, at the end of the transaction, the

consumer's transaction data including the redeemed coupon data are not only being forwarded to

the coupon issuer 14 and coupon distributor 16 for integration into marketing analysis to further

prepare more targeted coupon data stored in remote database 40 and made available via the

consumer's PC 6 and the retail store kiosk to the particular consumer, but also are being used to

prevent any subsequent redemption attempt since a printed coupon 70 is redeemable only once,

thereby rendering the coupon delivery or distribution system more flexible and readily accessible

to a consumer by installing an interactive kiosk, coupled via a communication means to the

online service provider 2 database 40 storing the consumer's targeted coupon data, at a local

store 10 proximate to the consumer's home address where the consumer can retrieve through the

interactive kiosk in an interactive and secure manner from database 40 targeted coupon data to

print at least one coupon 70, subsequent to entering his identification or login name and

password via a keyboard or a diskette containing the identification information and other

relevant data downloaded from the network and inserted into a 1.44 floppy disk drive related to

the store kiosk, while the consumer is in the store 10 and just before the consumer engages in a

transaction, while giving the manufacturer or coupon issuer 14 or coupon distributor 16 via the

online service provider 2 the latitude or flexibility to increase or decrease or modify the targeted

coupon data or more specifically the coupon value 74 associated with a particular product or

UPC code 82 if the latest transaction data including redeemed coupon data for the day received

from a plurality of retail stores 10 show that the number of coupons allowed to be printed and

redeemed exceeds a preset number or  the manufacturer's goal is achieved such that the

manufacturer can decrease the coupon value 74 associated with product UPC code 82 regardless

of the previously assigned value.


        As per claim 5, Barnett discloses an online coupon distribution system wherein a printed

coupon printed by the user comprising a bar code 90 representing a user's unique identification

number such as his social security number and/or online service address or e-mail address

(account information), the UPC bar code 84 and number 82 of the product associated with the

particular printed coupon, redemption instructions 88, the coupon value 74 and so on and so

forth, **regardless of the location where the coupon was printed** (fig. 5; col. 7: 21-32).

       **As per claims 3 and 6, Barnett discloses an online coupon distribution system**

**wherein, during a registration process, the user using personal computer 6 can transmit**

**data such as demographic data, via a computer network or the Internet or data link 4 of**

**fig. 1, to the online service provider 2, which stores the demographic data in a database file**

**42 of fig. 6 and, once registered, the user can also receive data, such as targeted electronic**

**coupon or virtual coupon data, from the online service provider 2, which stores the**

**electronic coupon data in database 40 or central repository. In another embodiment, it is**

**contemplated that coupon issuers 14 and** coupon distributors 16 can also transmit electronic

coupon data, via the computer network or Internet or data link 4 of fig. 1, to online service

provider 2 of fig. 1 where they can be downloaded by the user or users. **Furthermore, during a**

**redemption process, information is being exchanged between the remote database and a**

**redemption center in conjunction with a retail POS** (See abstract; col. 6: 52 to col. 7: 5; col.

7: 56 to col. 8: 5; col. 9: 33-52; col. 11: 30-43).

       As per claims 9-10 and 15, Barnett discloses an online coupon distribution system

wherein one or more printed coupons are presented by the user for redemption in the normal or

conventional fashion when shopping at a desired retailer. Following the redemption process, the

redeemed coupon data are transmitted by the desired retailer to a coupon redemption center 13

where they are electronically read and the user-specific data are recorded in a coupon redemption

database (D/B) 12. Further, the user's transaction data including the redeemed coupon data

(redemption data) are provided to the coupon issuers 14 and coupon distributors 16 of fig. 1 for

integration into further marketing analysis. In order words, the issuers 14 and coupon

distributors 16 of fig. 1 utilize the user-specific data (coupons deleted, coupon printed and

demographic data) along with the redemption data to generate or compile subsequent coupon

packages targeted specifically at certain user categories or selected categories of products. It is

further contemplated that the coupon issuers 14 and coupon distributors 16 can use the user's

transaction data including the coupon redemption data in many ways without impacting the

functionality or utility or operation of the system. For example, as implicitly supported in the

current reference, the coupon issuers 14 and coupon distributors 16 can use the user's transaction

data including the coupon redemption data to further generate more targeted coupons or fewer

targeted coupons or simply update electronic coupon data specifically directed to the user's

attention, wherein these coupons are redeemable on a selected category of products (See abstract;

col. 3: 44-52; col. 6: 58-65; col. 7: 12-20; col. 7: 45-55).


As per claim 12, Barnett does not expressly teach validating a presented coupon by

accessing a database.

"Official Notice"

It is common practice in the art to validate, verify or authenticate a coupon, a voucher or

a certificate presented for redemption by a customer by accessing a local or remote database

storing information, regarding the presented coupon, voucher or certificate, to verify that the

presented coupon, voucher or certificate is valid or authentic following a comparison process, thereby preventing fraud often associated with redemption of coupons, vouchers or certificates.

Thereby, it would have been obvious to an ordinary skilled artisan, at the time of the invention, to incorporate the above disclosure ("Official Notice") into the system of Barnett so as to allow a POS system to access, over a communication network, database file 40 to validate, verify or authenticate information found on a coupon presented by a customer for redemption by comparing it to the coupon information stored in the database file 40 before redeeming the presented coupon, thereby preventing fraud that is often associated with redemption of coupons, vouchers or certificates.

**Claims 4, 9, 10, 12-15 and 27 are rejected under 35 U.S.C. 102(b) as being unpatentable over Lemon, US Patent 4, 674, 041.**

As per claims **4**, 9, 10, 13-15 **and 27**, Lemon teaches a system with remotely located coupon printing stations capable of limiting the number of coupons printed in a given time period. Each coupon station has a display for indicating the available coupons, selection means to allow the consumer to choose the desired coupon and a coupon printer for printing the selected coupon. The system disables display of a particular coupon when a pre-selected coupon limit has been reached. Indeed, the system enables a manufacturer to control its liability for coupons and to deter fraudulent redemption. Here, the manufacturer may prescribe (limit) a particular number of coupons to be redeemed collectively, i.e. throughout all retail stores, and/or at each particular retail store. The present invention also greatly reduces the possibility of fraud by enabling coupons to be encoded with store identification numbers, expiration dates, uniform product

codes, and other information at the point of distribution or at a retail store or at the time of

printing (printing information on a customer's printed coupon).

The present apparatus comprises, among other things, a stand-alone coupon dispensing

terminal T (kiosk) is provided at each retail store or retail location. Each stand-alone terminal

communicates with a host central processing unit (remote location) located remote from the

stores. Coupons are displayed for customer selection at each dispensing terminal on a video

menu via a cathode ray tube and touch screen combination in a fashion that enhances customer

acceptance by reducing the time necessary to select and obtain coupons (retrieving and

displaying coupons available to the customer upon receiving by the remote database from

terminal T as entered by the customer via an input device the customer account). Each terminal

may be monitored and controlled via the host computer or remote database to obtain data such as

the number of coupons issued and the identification of customers using the terminal. **The system**

**enables the manufacturer to limit the number of a particular coupon issued from a**

**terminal as well as the number issued in response to activation by a particular credit card**

**related to a customer**. Each terminal includes a self-contained high speed coupon printer, which

prints the product information, date, time of day, uniform product code, expiration date, a store

identification number or any other information desired for particular applications on each coupon

issued (col. 1: 55 to col. 2: 24).

Further, Lemon discloses a system wherein a terminal T, located at a retail store, displays

only those coupons currently available to the particular customer. Upon activation, by the

customer via the entry of the customer's account number in the form of a credit card account

number, terminal T determines whether the same credit card account number has been used

within the last week or other pre-designated period by comparing the present credit card number

with those stored in memory. If so, the system permits only those coupons still available for

selection by that particular customer account number to be displayed. If, for example, the

manufacturer has prescribed **a one per customer limit for a coupon**, and that coupon has been

previously issued to the customer under the same credit account number, the coupon will not be

displayed. Furthermore, even if the particular credit account number has no selection history, if

the maximum number of a particular coupon, either collectively or on a store-by-store basis, has

been issued, then that coupon will no longer be displayed. In this fashion, a manufacturer is

provided with much more control over the maximum redemption liability (col. 5: 45 to col. 6:

10).

Additionally, Host computer H (remote database) monitors the operation of the individual

terminals T and provides terminals T with the information necessary to dispense the coupons

requested by customers. Host computer H stores the data, which constitute the array of coupons

available for selection that will be displayed on each terminal T. Thus, the operator or

manufacturer is able to control the display of coupons at each and every remote terminal T via

host computer H. Host computer H also retains other information such as the date and time of

day, which are used by the terminals T to achieve the desired results of the present system. Host

computer H also is programmed to interact with terminals T to allow the operator to prescribe

per store and collective limits for each coupon, thereby controlling the manufacturer's liability.

More importantly, host computer H or remote database is programmed to receive from the

terminals T coupon transaction information including the number and type of coupons dispensed,

store identification numbers, and customer account numbers. Host computer H is programmed to

use the information to generate the weekly reports 4 and 6 (FIG. 1) for the manufacturer and

retailer, respectively (col. 4: 35-64).

Preferably, the coupon distribution system, as shown in fig. 1, is illustrated in its role in

the over-all coupon reporting and redemption process. The system includes a coupon control

system, which interacts with a consumer to selectively dispense coupons as requested. The

system also generates reports 4 and 6 regarding coupon distribution for the manufacturers and

retailers, respectively. Here, the manufacturer is able to prescribe limits for distribution of

particular coupons on a collective and per store basis (fig. 1). The report 4 is provided to the

manufacturer on a periodic basis, such as a weekly basis and includes coupon distribution

information for each retail outlet. Report 4 may include the number of coupons dispensed, the

store identification information, the dates and times of distribution, and customer identification

data. This information is valuable to the manufacturer both as an aid in analyzing its marketing

techniques and in detecting fraudulent coupon distribution or redemption. The report 6 provided

to retailers is essentially like report 4, but includes information only as to the particular retail

store(s) involved. Typically, retailers forward the report 6 to a retail chain headquarters 10 or a

clearinghouse 12 to provide a collective accounting for the retail chain or region. In either event,

the coupon distribution information is presented to **a redemption center 14**, which receives such

information from retailers throughout the country and prepares a billing statement and report 16

for each participating manufacturer. The reports 16 and 4 are compared to detect errors or

fraudulent claims. For example, if the number of coupons presented for redemption exceed the

number of coupons dispensed as noted in report 4, then the manufacturer may refuse to make

payment to the retailers for the excess. Once the system is utilized, such discrepancy will be

minimized since the manufacturer will be able to pin point and investigate error sources. The

manufacturer will make payment to the particular retailers, thereby concluding the periodic,

quarterly, monthly or weekly transaction (col. 3: 29 to col. 4: 6).

In addition, host H is programmed to accommodate coupon dispensing history from each

terminal on a terminal-to-terminal basis as well as a particular coupon-by-terminal and coupon

by all terminals basis. Recording of this information on a periodic basis provides the host with

the available information to provide meaningful coupon history reports to manufacturers, which

can be used to verify actual coupon redeemed information as well as provide meaningful market

information on a per store, per terminal, per all terminal basis (col. 30: 29-39; col. 4: 52-64).

Finally, the process of scanning a presented coupon, during a redemption session, to

thereby validate the presented coupon before applying the coupon value to the customer's or

consumer's order or transaction is implicitly supported by the Lemon's system (fig. 3).


As per claim 4, Lemon does not expressly teach determining or counting the number of

times a coupon has been redeemed by the consumer.

"Official Notice"

However, it is common practice in the art for companies or groups who wish to have a

coupon delivered to consumers to disclose the specifics of the coupon, such as the target

audience preference profile, the value of the coupon, how many times the coupon may be

redeemed when the coupon should be delivered, how long the coupon is valid for. For instance,

a system is provided to distribute coupons to specific users and to track or monitor the

redemption of the distributed coupons such that each distributed coupon is redeemed a

predetermined number of times (i.e. indicating or counting how many times each coupon has been redeemed by the users or consumers-See the abstract and col. 6: 34-48 of 6,075,971 to Williams).

Therefore, it would have been obvious to an ordinary skilled artisan, at the time of the invention, to incorporate the above disclosure ("Official Notice") into the system of Lemon so as to determine how many times a printed coupon has been redeemed by a customer, thereby ensuring that that the number of times a coupon has been redeemed by a customer does not exceed the number or the limit allowed by the manufacturer under the customer's credit card account, while eliminating the possibility of fraud by both the customer and the retailer by permitting the customer to redeem a particular coupon a number of times that is less than or equal to a preset number designated by the manufacturer under the customer's account (See Lemon-Col. 1: 55 to col. 2: 24).

As per claim 12, Lemon does not expressly teach validating a presented coupon by accessing a database.

"Official Notice"

It is common practice in the art to validate, verify or authenticate a coupon, a voucher or a certificate presented for redemption by a customer by accessing a local or remote database storing information, regarding the presented coupon, voucher or certificate, to verify that the presented coupon, voucher or certificate is valid or authentic following a comparison process, thereby preventing fraud often associated with redemption of coupons, vouchers or certificates.

Thereby, it would have been obvious to an ordinary skilled artisan, at the time of the

invention, to incorporate the above disclosure ("Official Notice") into the system of Lemon so as

to allow a store POS system to access, over a communication network, a local database, coupled

to the store kiosk, or a remote database, related to the Host computer, to validate, verify or

authenticate information found on a coupon presented by a customer for redemption by

comparing it to the coupon information stored in the local or remote database before redeeming

the presented coupon, thereby preventing fraud that is often associated with redemption of

coupons, vouchers or certificates.


## Conclusion

Any inquiry concerning this communication from the Examiner should be directed to

Jean D. Janvier, whose telephone number is (571) 272-6719. The aforementioned can normally

be reached Monday-Thursday from 10:00AM to 6:00 PM EST. If attempts to reach the Examiner

by telephone are unsuccessful, the Examiner's Supervisor, Mr.Robert Weinhardt, can be reached

at (571)272-6633.

Non-Official- 571-273-6719.

Official Draft : 571-273-8300

12/24/09

/Jean  Janvier/

Primary Examiner, Art Unit 3688